

Published on *Navajo Nation Washington Office* (<http://nnwo.org>)

For Immediate Release
August 20, 2014

President Ben Shelly declares U.S. Route 491 groundbreaking a historic achievement

TWIN LAKES, N.M.—Navajo Nation President Ben Shelly commended state, county, local and Navajo lawmakers and officials for their support in making U.S. Route 491 safer for all New Mexicans at a groundbreaking ceremony along the highway.

“There are many people we want to thank for making this four-lane construction a reality. First and foremost, thanks are in order for Sen. Pinto. His tireless efforts to widen this road have finally paid off,” President Shelly said.

He also thanked New Mexico Gov. Susana Martinez for her support and willingness to work with the Navajo Nation. The governor announced in March that \$78 million was made available for the completion of the U.S. Route 491.



The project includes construction of two additional lanes, increasing capacity from two lanes to four lanes, drainage improvements and construction of acceleration and deceleration lanes in congested and high traffic areas. The project will stretch from mile marker 15.1, north of Twin Lakes to mile marker 36.9, south of Naschitti.

The highway is a major artery for travelers of the Four Corners Region and a hub for school buses, first responders, tourists and commercial truckers. The importance of this road was highlighted in July 5, 2013, when a portion of the road was closed due to monsoon floods. Traffic was detoured and caused a major inconvenience for travelers.

The stretch of highway was formerly known as “Devil’s Highway” due to the high fatality rate and number of vehicle accidents.

“Today, the four-lane highway has decreased the number of deaths and accidents. It as been a sound investment for New Mexico and for the Navajo Nation,” President Shelly added.

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HÓZHÓOJÍ NAHAT'ÁH BAA HANE'

Over the past four years, the Office of the President and Vice President has worked with various divisions, departments and programs under the Navajo Nation Executive Branch to accomplish many great things for the Navajo People. Here are a few highlights from the past four years.



THE NAVAJO NATION

BEN SHELLY PRESIDENT
REX LEE JIM VICE PRESIDENT

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August 20, 2014

THE NAVAJO NATION OFFICE OF THE PRESIDENT & VICE PRESIDENT PRESENTS 4 YEAR LIST OF UPDATES

2011

- APS Lease Agreement** March 8, 2011
25-year agreement with \$172 million annually.
- Conducted Town Hall Meetings** April 2011
We reached out to hear from the Navajo people on various topics such as water rights, development of an energy policy and the condition of our Navajo rangelands.
- Delivered Drinking Water to Western Agency** April 12, 2011
Using a 4,000-gallon truck, we delivered water to more than 155 families in Black Falls, Box Springs, Grand Falls, and Leupp.
- Issued Commercial Tobacco Free Executive Order** April 27, 2011
Passed by the Navajo Nation Council, this order was for the health and safety of Navajo people at government offices and businesses.
- \$1.5 Million Purchase of Turquoise Ranch** June 10, 2011
This 375-acre property was for the benefit of relocated Navajo families.
- Launched Navajo Nation Chamber of Commerce** June 24, 2011
This effort grew from the business leaders roundtable discussions held in April 2011.
- Náásgóó Hozhóogo Hoot'áál** August 30, 2011
Division of Community Development Post LGA Certification Summit aimed at decentralizing services from central government and empowering chapters.
- Operation Breathe Safe** September 15, 2011
This was the closure and decontamination of Administration Building No. 1 due to black mold infestation from decades of neglect and non-maintenance.
- Testified in Washington, D.C. on Navajo Head Start** September 19, 2011
We reported on Capitol Hill to keep Head Start under the umbrella of the Navajo Nation and deal with monitoring issues dating back to 2010. The previous administration made the request to privatize the program and we disagreed and fought to keep it on Navajo.

2012

- Navajo Nation Sales Tax Distribution Reform Act of 2012** January 10, 2012
Worked with the Navajo Nation Council to provide \$6 million in scholarships for Navajo students during spring semester.
- Navajo-Gallup Water Supply Project Executive Order** January 3, 2012
We signed the executive order to reaffirm support of this \$1 billion project that will deliver running water to more than 250,000 people.
- Tres Amigas Energy Distribution** March 5, 2012
We met with private businessmen to unite the three electrical power grids across the U.S. This would include the sale of Navajo Nation energy through a transmission super station in Clovis, N.M.
- Central Consolidated School Memorandum of Agreement** March 16, 2012
This was done in cooperation with Division of Dine' Education and in accordance with the 2005 Navajo Sovereignty in Education Act to improve the quality of education and implement Navajo language, culture, history, character and government standards in the curriculum.
- Little Colorado River Water Rights Public Forums** March 2012
Public outreach for comments regarding the Navajo-Hopi Little Colorado River Water Rights Settlement Act of 2012 in Pinon, Ganado, Oak Springs, Leupp, Teesto, and Ft. Defiance. The LCR water rights claims were ultimately voted down by the Navajo Nation Council.
- Tribal Identification Distribution** May 21, 2012
Provides tribal members with alternative to Certificate of Indian Blood and state identifications at a cost of \$17. Strengthens tribal sovereignty.
- \$5 Million TIGER grant** May 23, 2012
The only TIGER grant received for the state of N.M. for road improvements to a 12-mile project for Torreon Road.
- Navajo Nation Farm Bill with USDA and NAPI** June 2012
This effort supplemented 7,000 acres of farmland for pinto beans and 25,000 acres of land for corn and potatoes.
- Sandia Laboratory Memorandum of Understanding** October 23, 2012
This agreement provides the Navajo Nation technical assistance in the area of energy and technology development. In the long run, it will spur the growth of new jobs.
- NCI Financial Assistance** December 24, 2012
Presented a \$300,000 check to keep the center open to provide drug and alcohol abuse counseling and services. Navajo Nation has provided more than \$813 million to NCI since 2003 in partnership with Division of Health and Dept. of Behavioral Health Services.

2013

- Administration Building No. 2 Remediation** January 2013
Once again, due to black mold infestation and a public health state of emergency, the deteriorating conditions at Administration Building No. 2 are finally being addressed after years of neglect. This was done for the safety and health of tribal employees.
- FEMA Declaration of Emergency** January 25, 2013
Using the amendments provided in the Stafford Act, we declared an emergency for the frozen waterlines across the Nation in cooperation with the Commission on Emergency Management for Window Rock, Pinedale, Crownpoint, Shiprock, Kayenta, Chinle and Dilkon.
- Navajo Generating Station Lease Extension** February 16, 2013
In addition to saving hundreds of jobs, the renegotiation of the NGS lease extension through 2044 provides \$42 million in annual revenue to the tribal budget. This is a major achievement when you consider the original 1960s lease was \$608,400 per year.

2013 CONTINUED

- Streamlined the SAS 164 Review Process** April 23, 2012
We amended Section 164B of Title 2 of the Navajo Nation Code to cut down the review time to one month. New process does not require legislative review and limits review time for reviewers to one week.
- BNSF Thoreau Rail Port** June 6, 2013
This effort with Burlington-Northern Santa Fe is to develop a 300-acre industrial park in Thoreau, N.M. for economic development, jobs, and delivery of coal, oil, and gas to international markets.
- Navajo Star Wars** June 14, 2013
Navajo Nation Museum worked with Lucas Films, Ltd. and other Hollywood companies to dub the original Star Wars in Navajo for screening. This was an innovative approach to language preservation and cultural appreciation.
- PNM Agreement for Workforce Development** July 26, 2013
This workforce development training program funded by PNM was for \$2 million. The annual funding is \$200,000 per year over five years for Navajo students at NTU and San Juan College majoring in energy industry related fields.
- Navajo Generating Station Lease Extension Signing** July 30, 2013
New agreement will provide the Navajo Nation with \$1 billion in revenue through 2044. The 25-year commitment will save jobs and spur economic development.
- Navajo Route 20 Construction** August 29, 2013
This \$35 million project provided paving for a 27-mile stretch of road connecting the Bodaway-Gap, Coppermine and LeChee Chapters. The Federal Highway Administration and Arizona Department of Transportation funded the road construction.
- Navajo Forestry Products Inc. Clean Up** August 21, 2013
The NFPI site has been a hazardous area for decades, in addition to being an eyesore for the traveling public. The dilapidated building has been a site for graffiti vandals and a fire burned part of the building in the recent past.
- Navajo Nation Energy Policy of 2013** October 22, 2013
Passed by a vote of 13-6 by the Navajo Nation Council, this legislation updated the 1980 energy policy to reflect current needs and innovations. This was an effort developed through town hall meetings early on in the administration.
- Navajo Technical Energy Company Navajo Mine Purchase** October 31, 2013
The purchase of Navajo Mine by NTEC saved more than 800 jobs and \$41 million in annual revenues to the Navajo Nation General Fund. It also beefed up the energy portfolio for the Nation.
- San Juan River Water Rights Settlement** November 1, 2013
Guaranteed in this general stream adjudication with the state of N.M. was the development of the Navajo-Gallup Water System Project, scheduled for completion in 2024. Litigation for this effort began in 1975.

2014

- FEMA Executive Order** January 15, 2014
Developed policies and procedures to administer grants and projects from FEMA. Provides provisions for the Nation to receive funds as grantee and sub-grantee status.
- Navajo Nation General Leasing Act of 2013** March 3, 2014
The U.S. Department of Interior approved the General Leasing Act and provided the Navajo Nation to approve residential and business site leasing. This streamlined process was the model for the HEARTH Act, currently used by the rest of Indian Country.
- NTUA Eligible Telecommunications Carrier Designation** March 4, 2014
This order by the FCC will allow NTUA Wireless to step into mobile communications on the Navajo Nation to provide mobile services. It also gives the Nation jurisdictional authority over mobile communications providers on the reservation.
- Tsoodzil Traditional Cultural Property Designation** March 18, 2014
The N.M. Supreme Court decision affirmed the TCP designation for Mount Taylor. More than 400,000-acres was granted TCP status. The Nation lobbied the United Nations for the status and also provided maps and GIS data for the effort.
- U.S. Route 491 \$78 Million Funding** March 26, 2014
In cooperation with N.M. Governor Susana Martinez and N.M. Department of Transportation, the final 21.8-mile stretch of four-lane highway construction on U.S. Route 491 will be completed. After decades of service, Sen. John Pinto will finally retire.
- \$1 Billion Court Settlement with Tronox Inc.** April 2014
The Tronox Inc. v. Anadarko Petroleum Corp. was finally settled by the U.S. Justice Department for \$5.15 billion. Navajo Nation received a portion of the settlement, equaling \$1 billion for cleanup of 49 abandoned uranium mines left behind by the former Kerr-McGee Corp.
- Capital Improvement Projects Five-Year Plan Approval** May 6, 2014
In development for more than 14-years, the Navajo Nation CIP five-year plan was approved to provide infrastructure and other projects to the 110 chapters across the Nation. This was a joint effort with the Navajo Nation Council.
- \$554 Million Settlement for Trust Litigation** June 4, 2014
This landmark settlement will bring more than half-a-billion dollars into the Navajo Nation for trust responsibility mismanagement by the federal government. Again, this was another successful effort in partnership with the Navajo Nation Council.
- Navajo Nation Adult Guardianship Act of 2014** June 13, 2014
The Adult Guardianship Act was signed into law to protect the disabled Navajos living on the Nation and to give them a voice in court proceedings and guardianship decisions. They have equal rights to finances, housing, employment and education. It was the first time the Navajo Nation Code was amended for the disabled in 45 years.

These are only a few of the accomplishments we've

achieved by working together with our Navajo Nation Council, Navajo Nation Judicial Branch, state, federal and private agencies. There's still much more work to be done and we already have our future projects

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FOR IMMEDIATE RELEASE
August 15, 2014

President Shelly issues Executive Order No. 12-2014 for smoke free workplace



Executive Order No. 12-2014 was signed into law by Navajo Nation President Ben Shelly on August 14, 2014. The order provides for a smoke-free work environment for Navajo Nation employees. (Photo by Rick Abasta)

WINDOW ROCK, Ariz.— The right to fresh air in the workplace.

Navajo Nation President Ben Shelly signed Executive Order No. 12-2014 into law and said it was to protect the health of tribal employees.

“The use of commercial tobacco at is prohibited at all interior spaces operated by the Executive Branch,” President Shelly said. “This includes a distance of 25 feet from all entrances, windows and ventilation systems.”

Initially, Executive Order 02-2011 was implemented on April 26, 2011. The new order clarifies and supersedes the previous document.

An exception to the new law is the use of mountain tobacco, or Hozhooji Dzil

Natoh.

Pete Nez was instrumental and elated the executive order was signed into law.

“We are here to protect the people and to talk about the

the Navajo Health Coalition, said the authorities granted to the president are the shield and protector for the Navajo people.

“Our tongue, or words,

“The use of commercial tobacco is prohibited at all interior spaces operated by the Executive Branch.”

steps that are need in order to move our people toward living a more healthier life,” Nez said.

He lauded the efforts of the Blacks Hills Center for American Indian Health, which has been fighting colon and lung cancer, tuberculosis, obesity and diabetes.

Thomas Walker, president of

can protect the people. Mr. President, the use of your executive order directive, with the weight of the policymaking authority will be used to shield the people employed by the Navajo Nation in their workplaces,” Walker said.

He said the Team Navajo Coalition also deserved

recognition for their work and advocacy.

Vice President Rex Lee Jim praised the coalition for being persistent in revising the order to not only allow provisions for the health of Navajo employees, but to also give proper consideration for the traditional tobacco used in Navajo ceremonies.

“It is important that we do what we need to do to ensure our people have access to quality workplaces and ensure that they are not exposed to secondhand smoke,” Vice President Jim said. “Thank you for working with us and let’s continue to work together.”

Title 2 of the Navajo Nation Code, specifically Subsection 1005 (A) provides that, “The President of the Navajo Nation serves at the Chief Executive Officer for the Executive Branch of the Navajo Nation government with full authority to conduct, supervise, and coordinate personnel and program matters.”

This includes the enumerated power of issuing an executive order for the purpose of interpreting, implementing or giving administrative effect to statutes of the Navajo Nation.





EXECUTIVE ORDER NO. 13-2014

**PROTECTING NAVAJO NATION EMPLOYEES EXPOSURE TO
COMMERCIAL TOBACCO PRODUCTS AND SECONDHAND SMOKE IN THE
WORK PLACE**

**THE NAVAJO NATION
EXECUTIVE ORDER NO. 13-2014**

August 14, 2014

WHEREAS:

1. The President of the Navajo Nation serves as the Chief Executive Officer for the Executive Branch of the Navajo Nation government with full authority to conduct, supervise, and coordinate personnel and program matters. 2 N.N.C. § 1005 (A);
2. The President shall have the enumerated power of issuing an executive order for the purpose of interpreting, implementing or giving administrative effect to statutes of the Navajo Nation in the manner set forth in such status. 2 N.N.C. § 1005 (C) (14);
3. An executive order shall have the force of law upon the recipient. Id.
4. Executive Order No. 02-2011 was implemented April 26, 2011 for the similar purpose. Executive Order No. 13-2014 provides clarification and will supersede Executive Order No. 02-2011.
5. The cultural, spiritual, and ceremonial use of Hozooji Dzil Natoh/ Natural Mountain Smoke is the fundamental values and principles of Dine Life Way;
6. Navajo cultural teachings about the Hozooji Dzil Natoh/ Natural Mountain Smoke and its use are of importance to the health, wellness, and welfare of the Navajo people;

7. The Navajo fundamental traditional and ceremonial use of Hozooji Dzil Natcho/ Natural Mountain Smoke shall not be restricted;
8. Secondhand smoke has been classified by the U.S. Environmental Protection Agency (EPA) as a group A carcinogen;
9. There are no safe levels of secondhand smoke and no available adequate ventilation technology based upon scientific studies that can ensure that protection and prevention of involuntary exposure to secondhand commercial tobacco smoke and its health -related illness; and
10. Everyone has the right to breathe clean air and be free from the pollution of spit tobacco smokeless tobacco, e-cigarettes, or any other commercial tobacco products.

THEREFORE:

I, Ben Shelly, President of the Navajo Nation, by the authority vested, I hereby issue the following order:

1. Policy. It is the policy of the Navajo Nation Executive Branch to establish a commercial tobacco free environment for government employees and member of the public visiting or occupying Navajo Nation facilities. The use of commercial tobacco products is thus prohibited in all interior space owned, rented, or leased by the executive branch of the Navajo Nation and in any outdoor areas under the executive branch, and within a reasonable distance of 25 feet of entrances, operable windows, and ventilation systems of enclosed areas where commercial tobacco products are hereby deemed prohibited.
2. Other locations. The heads of agencies shall evaluate the need to restrict smoking at doorways and in courtyards under the auspices of the executive branch in order to protect workers and visitors from environmental tobacco smoke, and may restrict smoking in these areas in light of this evaluation.
3. Responsibility for implementation. The heads of divisions agencies departments and programs are responsible for implementing and ensuring compliance with the provisions of this order. Independent agencies are mandated to comply with the provisions of this order.
4. Consistency with the other laws. The provisions of this order shall be implemented consistent with the laws and highest welfare of the people.

5. Construction. Nothing in this order shall limit a division, agency, department or program head from establishing more protective policies on smoking in the workplace for employees and members of the public who are served, invited and welcome.

Executed at the Office of the President and Vice President of the Navajo Nation

On this 14th day of August 2014.



Ben Shelly, *President*
THE NAVAJO NATION

ATTEST:



Harrison Tsosie, *Attorney General*
THE NAVAJO NATION



FOR IMMEDIATE RELEASE
August 13, 2014

President Shelly urges Board of Election Supervisors to clarify ballot language



A MAN OF THE PEOPLE. Navajo Nation President Ben Shelly shook hands with children, elders and families during the 93rd Annual Gallup Inter-Tribal Indian Ceremonial Parade. President Shelly is in support of the referendum measure that provides for recognition of the Navajo people as the governing body of the Nation. (Photo by Rick Abasta)

WINDOW ROCK, Ariz.— On August 8, Navajo Nation President Ben Shelly signed a resolution passed by the Navajo Nation Council that will be placed on the November ballot.

The resolution provides the Navajo people an opportunity to decide by a majority vote whether or not to change Navajo law to state that power originates from the Navajo people and that it is the Navajo people who delegate legislative authority to the Council.

The Shelly-Jim administration has worked on this issue as part of ongoing government reform efforts since taking office in Jan. 2011.

“I want to thank the Navajo Commission on Government Development and delegate

Jonathan Nez for their leadership and guidance,” President Shelly said. “I commend the Council for taking action on this important measure.”

Delegate Nez thanked the president for acknowledging the power of the people and said, “President Shelly’s signature to this referendum bill ensures Navajo people’s voice in how they feel about their place in government.”

The next step for the referendum measure is the Navajo Board of Election Supervisors, which has final approval authority over the descriptive summary and the brief statement of legal effect of the referendum.

President Shelly urged the NBOES to clarify the referendum ballot language.

His primary concern is the lack of agreement and accuracy between the brief statement of legal effect, referendum ballot question and the complete text in section three. This could lead to confusion over the intent and effect of the referendum.

“The legal language needs to reflect what’s on the referendum ballot,” President Shelly said.

The brief statement of legal effect states, “A ‘Yes’ vote is in favor [to] amend 2 N.N.C. 102 to state that all powers originate from the Navajo people,

and powers not delegated are reserved to the people.”

The complete text of the amended language states, “The Navajo people maintain the inherent power and authority to govern themselves. All authorities and all powers not delegated are reserved to the Navajo people.”

The concern is that section “A” of the complete text does not accurately reflect the brief statement of legal effect.

Additionally, section “B” is included as part of the complete text section and states, “The Navajo people hereby delegate the legislative authorities of the Navajo Nation to the Navajo Nation Council. All legislative powers not limited by laws of the Navajo Nation or by the vote of the Navajo people are delegated to the Navajo Nation Council, including the power to act as the governing body of the Navajo Nation and for purposes of external government relations.”

The whole section “B” is an entirely separate action of delegation that is not described in the brief statement of legal effect or in the referendum ballot question for the voters to read.

“The language goes beyond the legislative authority delegation described in the descriptive summary,” President Shelly said.

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“The legal language needs to reflect what’s on the referendum ballot.”



FOR IMMEDIATE RELEASE
August 12, 2014

President Shelly negotiates return of Code Talker uniform



Cpl. Henry Bahe, Jr. and Pfc George H. Kirk transmitting a radio message from Bougainville in Dec. 1943. (Courtesy photo)

WINDOW ROCK, Ariz.—The uniform of a Navajo hero is coming home.

After more than 15 years of limbo, the uniform of George H. Kirk, Sr. will be returning home and will be unveiled on August 14, during a ceremony at the Navajo Nation Museum in honor of Navajo Code Talkers Day.

Kirk was a Navajo Code Talker. Born on May 25, 1917, he passed on Oct. 28, 1999. He served in the 3rd Marine Division and saw combat in Bougainville, Enewetak Atoll, Guadalcanal, Guam, Iwo Jima, Johnston Islands, Mariana Islands, Marshall Islands, New Guinea, and Solomon Islands.

Kirk's Navajo Code Talker uniform and associated items were lost since 1999, until they appeared on the open market for auction in late Jan. 2014. The uniform was previously in a storage unit that went up for auction after he passed and no longer made payments.

Navajo Nation President Ben Shelly immediately contacted Craig Gottlieb, a military historian that owned the online auction house that was prepared to sell the uniform. In his letter to Gottlieb, President Shelly stated the importance of its return to the Nation.

"We respectfully asked for the return of the uniform to the Navajo Nation and agreed that it be an exhibit at the Navajo Nation Museum for display to our future generations," President Shelly said. "Thankfully, Mr. Gottlieb was very gracious and cooperative in the matter.

"Our Navajo Code Talkers not only put their lives on the line but they also preserved and showcased the strength of Dine' bizaad, the Navajo language," he added.

Craig Gottlieb Military Antiques, located in Solana Beach, Calif. was the business that had the uniform ready for auction. Major Gottlieb served in the U.S. Marine Corps and is a subject matter expert for History Channel's television show, Pawn Stars.

"It's been a long journey to get where we are and I'm excited," Gottlieb said. "As a Marine officer who grew up with words like 'ink stick' and 'go faster,' making this donation has special meaning for me."

President Shelly will be traveling to Reno, Nev. on Aug. 13 to pickup Gottlieb and the uniform for its return to the Navajo Nation.

The unveiling will begin on Aug. 14, at 8 a.m. at the Navajo Nation Museum, followed by the parade from the museum to Veterans Memorial Park at 9 a.m.

Information: 928-871-6675

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FOR IMMEDIATE RELEASE
August 8, 2014

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Council to hold Special Session to consider report and several legislations

WINDOW ROCK – The Navajo Nation Council is scheduled to have a special session on August 11, beginning at 10 a.m. in the Council Chamber located in Window Rock, Ariz. The session will be streamed live on the web through the Council’s designated USTREAM channel.

The special session will be held to address three legislations and to discuss a report from Navajo Nation Controller Mark Grant, concerning options to fund the recently approved five-year Capital Improvements Projects listing.

According to the proposed agenda, Council will consider Legislation No. 0081-14 sponsored by Council Delegate Edmund Yazzie (Churchrock, Iyanbito, Mariano Lake, Pinedale, Smith Lake, Thoreau), which seeks to amend the Navajo Nation Veterans Trust Fund.

Council previously amended the Veterans Trust Fund to provide funding for the construction of 375 homes and to provide minor repairs and renovations for Navajo veterans in each of the Nation’s five agencies, over the course of four years.

If approved and signed into law, the proposed legislation would authorize veterans to designate construction sites of their homes within or outside of the Navajo Nation. In addition, it would also allow the use of funds to purchase prefabricated or modular homes within or outside of the Nation’s boundaries.

On Monday, the Council will also consider Legislation No. 0122-14, which was tabled during the summer session.

The measure, sponsored by Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nahodishgish, Tse’ii’ahi, Whiterock), seeks the Navajo Nation’s support of a Congressional bill entitled, “The Fort Wingate Land Division Act of 2014,” which would divide nearly 20,000 acres of land between the Navajo Nation and the Zuni Tribe. The land is located in Fort Wingate approximately 20 miles east of Gallup.

Council is also scheduled to consider Legislation No. 0109-14, sponsored by Council Delegate Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill). If approved and signed into law, it would amend the Navajo Preference in Employment Act to change certain provisions for Navajo Nation employees under the act.

Please visit: www.navajonationcouncil.org under “Press Releases” on the homepage to view the proposed agenda for Monday’s special session.

Visit <http://www.ustream.tv/channel/navajo-nation-council> to view the live-streamed proceedings of the Council’s special session. Alternatively, viewers may log onto the USTREAM home page and search for ‘Navajo Nation Council’ in the search box.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org



President Shelly issues executive order for E-911 services



Navajo Nation President Ben Shelly signs the executive order to move the E-911 initiative forward. (Photo by Rick Abasta)

WINDOW ROCK, Ariz.—On Aug. 8, President Shelly issued an executive order providing the backbone for enhanced 911 services throughout the Navajo Nation.

The organizational basis for the services was from a recent Navajo Nation Telecommunications Regulatory Commission report and from recommendations by the Navajo Division of Public Safety Tiger Team.

The executive order emphasizes

collaboration, which will involve tribal divisions, departments and programs working in cooperation with commercial partners.

President Shelly’s support and advocacy for the E-911 improvements are finally coming to fruition.

“The safety of the Navajo people and everyone living on the Nation is of utmost importance to us. Having access to an effective emergency communication system is the right of every

person on the Nation, no one should worry that their call will go unanswered,” he said.

Joining the effort for E-911 services across the Nation is Frontier Communications.

“As the primary provider for communication services for the Nation, Frontier is pleased to be part of the 911 effort,” said Joe Hausner, general manager of Frontier Communications.

He said the necessary infrastructure is in place to ensure that people living on the Nation will be able to access 911 services on demand.

Another commercial partner is 4QTRS, which has been involved with the E-911 initiative since the start.

Teresa Richardson is director of sales and marketing for 4QTRS and said, “Everyone at 4QTRS is pleased to be an integral part of improving Navajo access to emergency services and we look forward to being a partner in enhancing the quality of life for those on the Nation.”

The NDPS 911 Tiger Team was created and tasked to plan, design, implement and manage all aspects of the E-911 program. Over the past four months the team has developed operational parameters.

Three main tasks were identified for the initial phase of the project: evaluation of the existing 911 capabilities and services to the Nation; creation of a service plan based upon the findings, including the technical capabilities of commercial carriers; and selection of a E-911 system.

The aforementioned service plan is scheduled for completion

by Sept. 21.

John Billison, director of NDPS, said the issues with the current E-911 system reflect the lack of access for a viable public safety communication system.

“Residents and visitors of the Nation deserve access that is intuitive, effective and provides direct contact with first responders whose job is to protect them,” he said.

Ivan Tsosie is the chief of police and is working closely with Billison for administering all aspects of public safety for the E-911 program.

NNTRC is the regulatory arm and will monitor all aspects associated with the program.

Public safety statistics report that 175,000 people reside in the Navajo Nation who may at any given be in need of emergency services. Sixty percent of homes lack landlines and 53 percent of the Nation has wireless coverage.

The need to improve the existing public safety communications system is evident. Within the next 45 days, NDPS will provide progress reports on the E-911.

The biggest stumbling block for the E-911 endeavor has been the lack of Public Safety Answering Points on the Nation.

The Tiger Team is looking at establishing PSAPs and extending services to Ramah, Zuni Pueblo, Hopi Tribe and White Mesa Paiute in Utah.

Billison said reaching out to these neighboring communities would address a shared responsibility of public safety and emergency response needed on all Indian nations.

Information: redhorse@navajo-nsn.gov

EVACUATION ORDER LIFTED



FOR IMMEDIATE RELEASE - UPDATE

Contact: Rose Whitehair, Director
Navajo Department of Emergency Management
August 7, 2014
2:05 p.m.

Residents May Return Home, Highway 491 Open

The Naschitti evacuation order has been lifted.

Residents within the two-mile radius of Mile Post (MP) 43, NM HWY 491 may return to their homes. The southbound lanes of Hwy 491 are open to two-way traffic. The northbound lane is still closed as Hazardous Materials teams are working on clean-up of the site.

The evacuation order was due to a semi-trailer that turned over and caught fire. All that is known about the substance at this time is that it contains flammable materials.

The cause of the hazardous materials incident is under investigation.

The San Juan County Hazardous Materials team extinguished the fire. State Police, Navajo Law Enforcement, NDOT and NMDOT are still on-scene.

Thank you to the Tohatchi Chapter and Newcomb Chapter for your immediate response in setting up shelters for affected community members.

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Explosion on U.S. Route 491 results in evacuation of Naschitti

NASCHITTI, N.M.—Residents of Naschitti were evacuated after a semi-tractor trailer hauling hazardous materials crashed early this morning and caught fire.

Navajo Nation President Ben Shelly encourages residents to stay away from the accident site and follow instructions provided by first responders.

“Please avoid the accident area and follow instructions to stay away from the accident site until the hazardous materials have been cleaned up,” President Shelly said. “Our Navajo Nation emergency personnel are currently onsite.”

Rose Whitehair, director of the Navajo Nation Department of Emergency Management, said the explosion occurred around 6:40 a.m. near milepost 43 in Naschitti.

“For your safety, stay upwind and away from the smoke,” Whitehair said. “The more distance between you and the source of the smoke, the better.”

Temporary evacuation shelters are being mobilized at Tohatchi Chapter and Newcomb Chapter. The public is encouraged to keep home doors and windows closed.

Additionally, the NNDEM is recommends not to utilize air conditioners, ventilation fans and other air intake systems. The traveling public is encouraged to keep vehicle windows and vents closed, or use of recirculating air when traveling near the accident site.

If any symptoms of difficulty breathing, irritation of eyes, skin, throat, or respiratory tract occur, seek immediate medical attention. Other symptoms include changes in skin color, headaches, blurred vision, dizziness, cramps and diarrhea.

The Emergency Operations Center is currently coordinating efforts with the Navajo Division of Public Safety, Department of Emergency Medical Services and the Fire Department.

Information: 505-371-8145.

-30-



EVACUATION ORDER - Hazardous Materials

FOR IMMEDIATE RELEASE

Contact: Rose Whitehair, Director

Navajo Department of Emergency Management

August 7, 2014

9:20 a.m.

EFFECTIVE IMMEDIATELY

Everyone is required to immediately evacuate the following areas:

Those within a 2 mile radius of Mile Post (MP) 43, NM HWY 491

This is due to a semi-trailer that turned over on the highway this morning.

All that is known about the substance at this time is that it contains flammable materials.

Shelters are currently being set up at Tohatchi Chapter and Newcomb Chapter.

Please stay out of the area until further notice.

FOR YOUR safety, stay away from the smoke. The more distance between you and the source of smoke, the better. Close and lock doors and windows of your home. Turn off the air conditioner, ventilation fans, furnace and other air intakes. Keep car windows and vents closed; use re-circulating air.

Be prepared to seek medical assistance if you have any of the following symptoms: difficulty breathing; irritation of the eye, skin, throat, or respiratory tract; changes in skin color; headache or blurred vision; dizziness, lack of coordination; cramps or diarrhea.

The San Juan County Hazardous Materials team is on-scene extinguishing the fire. The NNEOC is in operations at this moment at [505-371-8145](tel:505-371-8145)/8416/8417. Navajo Law Enforcement, EMS and Fire Units are on-scene.

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Rosalita M. Whitehair
Director, Department of Emergency Management
Navajo Nation
P.O. Box 2908
Window Rock, AZ 86515



FOR IMMEDIATE RELEASE
August 7, 2014

MEDIA ADVISORY

WHO : President Ben Shelly
THE NAVAJO NATION

Mayor Richard Berry
City of Albuquerque

WHAT : Follow Up Meeting on Beating Deaths of
Homeless Navajo Men in Albuquerque

WHERE : Navajo Nation State Room
Office of the President and Vice President
100 Parkway Drive
Window Rock, Arizona

WHEN : August 8, 2014
11:00 a.m.

CONTACT : *Rick Abasta, Communications Director
Office of the President and Vice President
THE NAVAJO NATION
Phone: 928-871-7884
Fax: 928-871-4025
Email: rickyabasta@navajo-nsn.gov*

* There will be a press conference immediately following the meeting.





FOR IMMEDIATE RELEASE
August 6, 2014

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Resources and Development Committee approves report concerning implementation of solid waste facilities

LEUPP, Ariz. – On Tuesday, the Resources and Development Committee approved a report provided by the Navajo Nation Division of Community Development, regarding its multi-year plan and potential solid waste management sites within the Navajo Nation.

The written report entitled, “Navajo Nation Long Range Comprehensive Solid Waste Management Plan” was submitted to RDC chair Council Delegate Katherine Benally (Chilchinbeto, Dennehotso, Kayenta) from the director of the DCD, Leonard Chee, on July 28.

According to the report, there are no solid waste facilities or landfills on the Navajo Nation, which has led to over 639 illegal open dumpsites dating back to 2002.

The report states that nearly 2,000 violation notices have been issued to individuals. However, illegal dumping and burning of trash continues to remain a problem within the Navajo Nation.

“Nation Nation is capable of building landfills, but in order for it to work we have to have transfer stations and these transfer stations will feed to these certain proposed landfills. Based on costs, taking waste from local chapters to outside transfer stations can be really expensive,” stated James Benally with the Navajo Nation Solid Waste Program.

Currently, disposing of solid waste requires many residents to transport their waste to a transfer station or collection point.

“Approximately 55% of Navajo Nation has household pickup services,” according to the report, “Of the 110 Navajo Chapters throughout Navajo Nation, 54 Navajo Chapters have either a transfer station or collection point.”

“We need to figure out a way to make transfer stations more cost-effective. Navajo people are starting to use transfer stations now. In the old days, they used to dump it in the arroyo, but they don’t do that anymore. Now, they actually haul them to transfer stations and it’s a good thing but we need to keep encouraging that,” stated RDC member Council Delegate Leonard Tsosie (Baca/Prewitt, Casamero Lake, Counselor, Littlewater, Ojo Encino, Pueblo Pintado, Torreon, Whitehorse Lake).

The report states that the initial cost to build a compliance landfill would average \$9.8 million dollars including the funding needed to facilitate the structure. However, the cost could vary depending on the amount of waste being processed on a daily basis.

“There are others that are spending a lot of money, like the hospitals and schools, to dispose of their waste. Schools should be spending money on books for our kids. These are all good reasons to put up a landfill. I think in the long run it will pay itself off,” added Delegate Benally.

In the late 1990s, the Navajo Nation Solid Waste Act and Navajo Nation Solid Waste Regulations were passed by Council to provide guidance for solid waste compliance which includes, the standards for solid waste landfill facilities, transfer stations, and recycling mechanisms.

The Navajo Nation Division of Community Development formulated the Solid Waste Management Program in 1998 to help aid in the closures of open dumpsites throughout Navajo Nation. The intent is to provide cost-shared solid waste disposal centers within Navajo Chapter Houses.

In a July 28 memo from Chee to Delegate Benally, several recommendations are listed including conducting a solid waste stream analysis to determine the daily per capita rate to determine the quantity and composition of waste generated on the Navajo Nation, update figures in the plan to reflect 2010 census data, and to secure a professional engineer to perform certain tasks.

RDC members voted to accept the report 4-0.

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For news on the latest legislative branch activities, please visit www.navajonationcouncil.org



FOR IMMEDIATE RELEASE
August 5, 2014

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Budget and Finance committee approves proposed amendment to the Navajo Nation tax code

WINDOW ROCK – On Tuesday, the Budget and Finance Committee considered Legislation No. 0172-14, which proposes to amend the Navajo Nation Code Title 24 taxation laws to require a super-majority vote of the Navajo Nation Council for any changes or additions to all Navajo Nation tax rates.

According to the legislation, it proposes the addition of Section 142 to Title 24 to state that, “Any new Navajo Nation tax imposed shall require two-thirds (2/3) vote of the Navajo Nation Council’s full membership.”

Legislation sponsor Council Delegate Walter Phelps (Cameron, Coalmine Canyon, Leupp, Tolani Lake, Tsidi To’ii) said the purpose of the legislation is to ensure that tax increase initiatives receive strong support from Council and that Navajo people are not overburdened with additional taxes.

“The intent is to increase the threshold on any proposed tax increases because there needs to be a demonstration of strong support by the Council on these types of initiatives, and it is to protect businesses on the Navajo Nation and the Diné people,” said Delegate Phelps.

On May 10, the Tolani Lake Chapter passed a resolution in support of Delegate Phelps’s proposed legislation, citing several concerns including previous tax increases, “which was not officially supported by its constituents,” and would not tax large businesses.

The legislation states that the Office of the Navajo Tax Commission collected over \$110 million in tax revenue in 2013, which was allocated to the General Fund, Sales Tax Trust Fund, Judicial/Public Safety Facilities Fund, Scholarship Fund, and Economic Development Fund.

In opposition of the legislation, BFC member Council Delegate Danny Simpson (Becenti, Crownpoint, Huerfano, Lake Valley, Nageezi, Nahodishgish, Tse’ii’ahí, Whiterock) indicated a connection between the proposed bill, and a separate legislation entitled the Healthy Diné Nation Act of 2014.

“This [Legislation No. 0172-14] was initiated right after the Healthy Diné Nation Act of 2014 bill was going into the legislative process,” stated Delegate Simpson, following the meeting. “The intent is to stop the Act from passing.”

Delegate Simpson introduced the proposed Healthy Diné Nation Act, which seeks to impose an additional two-percent sales tax on food items that are considered to have minimal to no nutritional value. The bill is currently awaiting consideration by the Law and Order Committee.

BFC vice chair Council Delegate Jonathan Nez (Shonto, Navajo Mountain, Oljato, Ts’ah Bii Kin) also voiced his concern regarding the legislation to amend the Nation’s tax laws.

“Obviously, this is a legislation to block the junk food tax bill,” said Delegate Nez, following the meeting. “The Healthy Diné Nation Act is not just for our generation, but it is for future generations by promoting healthy living through this legislation.”

BFC members voted 2-1 to approve Legislation No. 0172-14. The Navajo Nation Council is the final authority on the legislation.

The legislation was first considered on July 25 by the Law and Order Committee, who referred it to the BFC with a “do pass” recommendation with no amendments.

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FOR IMMEDIATE RELEASE
August 5, 2014

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**Council Delegates advocate on behalf of the
Navajo Nation to strengthen UN Declaration on Indigenous Rights**



Photo: Council Delegate Dwight Witherspoon (left) speaking at the U.N. consultation meeting in New York, along with Delegates Alton Joe Shepherd (middle) and Jonathan Hale (right).

NEW YORK, N.Y. – On July 16, Navajo Nation Council Delegates Dwight Witherspoon (Black Mesa, Forest Lake, Hardrock, Pinon, Whippoorwill), Alton Joe Shepherd (Jeddito, Cornfields, Ganado, Kin Dah Lichii, Steamboat), and Jonathan Hale (Oak Springs, St. Michaels) attended the United Nations World Conference on Indigenous People’s - High-Level Consultation Meeting, regarding the proposed Zero Draft of the U.N. Declaration on the Rights of Indigenous Peoples.

The Zero Draft is a document that the U.N. developed to address global human rights issues of Indigenous people, and is scheduled to be adopted by the United Nations on September 22 at the upcoming World Conference on Indigenous People’s in New York, N.Y.

The delegates provided input and consultation to the Zero Draft to recommend strengthened language and implementation of the declaration, along with other Indigenous nations from across the world.

At the opening of the U.N. consultation meeting, Delegate Shepherd presented a general statement regarding the Zero Draft document on behalf of the Navajo Nation.

“The Navajo Nation supports four concrete recommendations from the Alta, Norway document: 1) the protection of indigenous women and children from violence; 2) meaningful implementation on the Declaration on the Rights of Indigenous Peoples; 3) participation of indigenous peoples in the United Nations system; and 4) protection of sacred sites and places,” stated Delegate Shepherd.

In addition to the general statement, Delegate Witherspoon provided specific recommendations to the Zero Draft, stating that the document needed stronger language regarding the protection of sacred sites and objects.

“In representing the Navajo Nation and Navajo people, we offer changes to paragraphs 12 and 26 in the Zero-Draft outcome document,” said Delegate Witherspoon, who issued the following recommended language in paragraphs 12 and 26:

12. Commit to develop fair, transparent and effective mechanisms, in conjunction with indigenous peoples concerned, to ensure access to and/or repatriation of ceremonial objects and human remains.

26. Commit to affirm and recognize the right to the protection, preservation and restitution of sacred places, sites and cultural landscapes, and will cooperate with indigenous peoples to establish procedures and mechanisms that effectively promote the implementation of these rights.

Delegate Witherspoon reminded U.N. members that Navajo elected officials are responsible to the Navajo people and are answerable to them for the protection of their lands, territories, resources, and self-determination policies.

In conjunction with the visit to the U.N., Delegate Hale visited with the France Mission to discuss the auction of ancient Navajo ceremonial masks by a private company in Paris, France.

According to Delegate Hale, he said that although the meeting was disappointing, the France Mission recommended that the Navajo Nation meet with the French Embassy in Washington, D.C., who would be able to assist in possibly repatriating the sacred objects.

“The discussion we would need to have with the French government is the development of a policy for a process in verifying the authenticity of the [sacred indigenous] artifacts, as well as consultation with the rightful tribe that it may belong to,” said Delegate Hale.

On July 29, the Naabik'iyátí' Committee's Subcommittee on Sacred Sites held a meeting to provide an update report to its members, and invited various Navajo medicine men to provide input regarding the U.N. declaration language and Navajo ceremonial masks.

Speaker Pro Tem LoRenzo Bates (Nenahnezad, Newcomb, San Juan, Tiis Tsoh Sikaad, Tse'Daa'Kaan, Upper Fruitland) suggested that a Navajo medicine man join the Navajo Delegation to provide consultation on the cultural significance of the ceremonial masks, and will accompany the Delegates at the upcoming WCIP consultation meeting on August 18-19.

"It is important that our traditional Navajo medicinal people have an active role in repatriating the sacred ceremonial items and a voice at the U.N., because they are the most knowledgeable when it comes to these types of issues," said Pro Tem Bates, following the meeting.

In addition to consulting, Pro Tem Bates also recommended that the Navajo medicine men submit a statement to be read before the U.N. General Assembly to advocate for strengthened language in the Zero Draft document on behalf of the Navajo Nation, and possibly to attend the World Conference on Indigenous People in September.

To view the U.N. Zero Draft Declaration Document, please visit: <http://wcip2014.org/3708>.

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FOR IMMEDIATE RELEASE
August 5, 2014

President Shelly lifts fire restriction, issues flood warning

WINDOW ROCK, Ariz.—The Navajo Nation fire restriction has been lifted.

On Aug. 1, President Ben Shelly signed the executive order lifting the fire restriction. Sharon Pinto, director for BIA Navajo Region, also signed the order.

The fire restriction was issued on June 12.

“The Navajo Nation fire restriction was executed because of high fire danger. However, the monsoon weather has substantially reduced this risk,” President Shelly said. “Therefore, the fire restriction is hereby lifted.”

He noted that responsible fire use, especially in forest and woodland areas of the Navajo Nation must be observed.

Recent rains from the summer monsoon storms have created other potential dangers.

The seasonal monsoon weather creates flooding, especially in in lowland and floodplain areas. The public is discouraged from attempting passage through flooded roads, especially when moving flood runoff cover roadway areas.

The Navajo Nation Department of Emergency Management remains on standby for possible flood emergencies and has spent the past few months conducting sandbag training for chapters across the Nation.



Navajo Nation President Ben Shelly has lifted the fire restriction which has been in effect since June 12. Recent monsoon weather has greatly improved the dry conditions. However, new challenges from potential flooding are possible. (Photo by Rick Abasta)

